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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,) NO. CR 4:17-615 JD (JCS)
12)
13 Plaintiff,) ~~PROPOSED~~ DETENTION ORDER
14)
15 v.)
16 KELSEY ROBERT JACKSON,)
17 a/k/a Kelsey Scales,)
18 Defendant.)
19 _____)

20 On December 7, 2017, defendant Kelsey Robert Jackson was charged by federal indictment with
21 being a felon in possession of firearm and ammunition, in violation of Title 18, United States Code,
22 Section 922(g)(1).

23 This matter initially came before the Honorable Joseph C. Spero, Chief United States Magistrate
24 Judge for the Northern District of California, for a detention hearing. Defendant was present and
25 represented by Ned Smock. Assistant United States Attorney Sheila Armbrust appeared for the
26 government. The government moved for detention, and defendant opposed. The Court heard proffers
27 and arguments regarding detention from the parties at the hearing.

28 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on
the record, the Court finds (1) by clear and convincing evidence that no condition or combination of
conditions will reasonably assure the safety of the community and (2) by a preponderance of the
DETENTION ORDER
CR 4-17-615 JD (JCS)

1 evidence that no condition or combination of conditions will reasonably assure the appearance of
2 defendant as required and that. Accordingly, defendant must be detained pending trial in this matter.

3 The present order supplements the Court's findings and order at the detention hearing and serves
4 as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1).

5 As noted on the record, the Court makes the following findings as the bases for its conclusion
6 that no condition or combination of conditions will reasonably assure the safety of the community:
7 Defendant's prior felony conviction involved a home invasion and defendant's false representation to
8 the resident that defendant was a member of law enforcement present to execute a search warrant. The
9 instant offense, which involves possession of a firearm and drugs, is one that defendant committed while
10 he was out on pretrial release for a case pending in the County of San Francisco, which related to a
11 September 2017 arrest involving defendant's possession of a firearm and drugs. The Court therefore
12 concludes that no condition or combination of conditions will reasonably assure the safety of the
13 community.

14 As further noted on the record, the Court makes the following findings as a bases for its
15 conclusion that no condition or combination of conditions will reasonably assure the appearance of
16 defendant as required: Defendant has a number of unexplained failures to appear in courts following
17 prior arrests. As described above, the instant offense involves a violation of the terms of defendant's
18 pre-trial release in a case pending in the County of San Francisco. No member of defendant's family is
19 willing to act as a surety for defendant. And while defendant was employed in the past, he is not
20 employed now. The Court therefore concludes that no condition or combination of conditions will
21 reasonably assure the appearance of defendant as required.

22 These findings are made without prejudice to defendant's right to seek review of his detention, or
23 file a motion for reconsideration if circumstances warrant it.

24 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

25 1. Defendant be, and hereby is, committed to the custody of the Attorney General for
26 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
27 sentences or being held in custody pending appeal;

28 2. Defendant be afforded reasonable opportunity for private consultation with counsel; and
DETENTION ORDER
CR 4-17-615 JD (JCS)

1 3. On order of a court of the United States or on request of an attorney for the government,
2 the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to
3 an authorized United States Marshal for the purpose of any appearance in connection with a court
4 proceeding.

5 IT SO ORDERED.

6
7 DATED: 12/21/17

HONORABLE JUDGE JOSEPH C. SPERO
Chief U.S. Magistrate Judge

